

TUESDAY, MAY 23, 1899.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called the following Senators answered to their names:

|                |            |            |
|----------------|------------|------------|
| Mr. President, | Crosby,    | McLin,     |
| Messrs. Baker, | Denham,    | Myers,     |
| Barber,        | Dimick,    | O'Brien,   |
| Blitch,        | Fuller,    | Reeves,    |
| Broome,        | Gaillard,  | Roberts,   |
| Bynum,         | Harris,    | Rogers,    |
| Carson,        | Hooker,    | Sams,      |
| Chaires,       | McCaskill, | Wadsworth, |
| Crill,         | McCreary,  | Williams,  |

Answering roll-call—27.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was approved.

The following communication was ordered spread on the Journal.

State of Florida, Executive Department,  
Tallahassee, Fla., May 22, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I have the honor to inform the Senate that I have today signed the following bills, which originated in the Senate, and have filed the same with the Secretary of State:

An act to incorporate the Florida Baptist Convention;

Also,

An act for the relief of P. F. Glenn, B. N. Faircloth, W. F. Skipper, citizens of Gadsden county, Fla., and J. B. Edwards and W. B. Chester, citizens of Liberty county, Fla.

Also,

An act to provide for the issue of bonds by the town of Marianna for the construction of waterworks and other purposes, and providing for the payment of the interest on and the principal of such bonds;

Also,

An act to settle the claims of certain transportation companies for transporting troops furloughed by the Government;

Also,

An act to amend Section 11, Chapter 4621, No. 107, of the Laws of Florida, approved June 4, 1897, to incorporate the Sanibel Island Railway and Construction Company.

Also,

An act to amend Section 2707 of the Revised Statutes of Florida, in relation to the purchase of seed cotton between the hours of sunset and sunrise, and providing a penalty therefor.

Very respectfully,

W. D. BLOXHAM,

Governor of Florida.

### INTRODUCTION OF BILLS.

By Mr. Fuller:

Senate Bill No. 257:

A bill to be entitled an act to enable owners of swamp, low, or overflowed lands, to drain or reclaim the same.

Which was read the first time by its title and referred to the Committee on Agriculture.

### REPORTS OF COMMITTEES.

Mr. Broome, Chairman of the Committee on Railroads, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Railroads, to whom was referred—

House Bill No. 279:

To be entitled an act to confirm and convey to the grantees and assigns of the several railroad companies of the lands granted to the State of Florida for railroad purposes by Act of Congress, approved May 17, 1856, and to confirm the titles of said lands to the said grantees and their assigns.

Have had the same under consideration and respectfully recommend that the same be referred to the Judiciary Committee for consideration.

Very respectfully,

JAS. E. BROOME,

Chairman of Committee.

And House Bill No. 279, contained in the above report, was referred to the Committee on Judiciary.

Mr. Rogers, Chairman of the Committee on Corporations,  
submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Corporations, to whom was referred—

Senate Bill No. 224:

A bill to be entitled an act supplemental to an act entitled an act to establish the municipality of Jacksonville, provide for its government and prescribe its jurisdiction and powers, approved May 31, 1887, and to extend the powers of the government of said municipality.

Have had the same under consideration and beg leave to report a substitute therefor, and recommend that the substitute do pass.

Very respectfully,

C. B. ROGERS,  
Chairman of Committee.

And Senate Bill No. 224, contained in the above report, together with committee substitute therefor, were placed on the Calendar of bills on second reading.

Mr. Dimick, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 22, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Enrolled Bills, to whom was referred—

An act to amend Sections (35) thirty-five and (40) forty, Revised Statutes of the State of Florida, relating to the boundary line between St. Johns and Volusia Counties.

Also,

An act to protect log brands in this State.

Also,

An act to authorize the Southwestern Railroad Company to abandon its railroad, and to take up, remove and otherwise dispose of its rails and other property, and to revoke the unsatisfied land grants to the Green Cove Springs and Melrose Railroad Company, and the Western Railway Company of Florida.

Also,

An act for the relief of Minnie E. Kehoe, for services as stenographer in Circuit Court, Jackson County.

Also,

An act to extend the time for the commencement of the work on the Etoniah Canal and Drainage Company.

Also,

An act to prescribe the term of office for Commissioners of Deeds, and to provide a time when the commissions of Commissioners of Deeds heretofore appointed shall expire, and to declare valid the acts of Commissioners of Deeds when commissions are more than four years since issued.

Be it leave to report that they have examined the same and find them correctly enrolled.

Very Respectfully,

E. N. DIMICK,

Chairman of Committee.

The acts contained in the above report were ordered referred to the Joint Committee on Enrolled Bills.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 22, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend Sections (35) thirty-five and (40) forty, Revised Statutes of the State of Florida, relating to the boundary line between St. Johns and Volusia Counties.

Also,

An act to protect log brands in this State.

Also,

An act to authorize the Southwestern Railroad Company to abandon its railroad, and to take up, remove and otherwise dispose of its rails and other property, and to revoke the unsatisfied land grants to the Green Cove Springs and Melrose Railroad Company, and the Western Railway Company of Florida.

Also,

An act for the relief of Minnie E. Kehoe, for services as stenographer in Circuit Court, Jackson County.

Also,

An act to extend the time for the commencement of the work on the Etowah Canal and Drainage Company.

Also,

An act to prescribe the term of office for Commissioners of Deeds, and to provide a time when the commissions of Commissioners of Deeds heretofore appointed shall expire, and to declare valid the acts of Commissioners of Deeds when commissions are more than four years since issued.

Beg leave to report that we have examined the same and find them all correctly enrolled.

Very respectfully,

E. N. DIMICK,

Chairman of Committee.

The acts contained in the above report, were ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Mr. Dimick, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 22, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend Sections (35) thirty-five and (40) forty, Revised Statutes of the State of Florida, relating to the boundary line between St. Johns and Volusia Counties.

Also,

An act to protect log brands in this State.

Also,

An act to authorize the Southwestern Railroad Company to abandon its railroad, and to take up, remove and otherwise dispose of its rails and other property, and to revoke the unsatisfied land grants to the Green Cove Springs and Melrose Railroad Company, and the Western Railway Company of Florida.

Also,

An act for the relief of Minnie E. Kehoe, for services as stenographer in Circuit Court, Jackson County.

Also,

An act to extend the time for the commencement of the

work on the Etoniah Canal and Drainage Company.

Also,

An act to prescribe the term of office for Commissioners of Deeds, and to provide a time when the commissions of Commissioners of Deeds heretofore appointed shall expire, and to declare valid the acts of Commissioners of Deeds when commissions are more than four years since issued.

Beg to report that the same have been presented to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very respectfully,

E. N. DIMICK,

Chairman of Committee.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 225:

A bill to be entitled an act to fix the responsibility of shippers or owners of goods, wares or merchandise represented by bills of lading or other evidence of shipment.

Beg leave to report that they have arefully considered the same and recommend that the accompanying substitute bill:

A bill to be entitled an act to define the liability of collectors or holders of commercial paper attached to or transmitted with bill of lading or other evidence of shipment of goods, wares or merchandise.

Do pass in lieu thereof.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And Senate Bill No. 225, contained in the above report, together with the committee substitute therefor, was placed on the Calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—  
Senate Bill No. 4 (printed):

A bill to be entitled an act in relation to appellate proceedings and practice in civil causes.

Beg leave to report that they have carefully examined the same and recommend the adoption of the accompanying amendments.

Judiciary Committee's Amendments to Senate Bill No. 4 (printed):

1. At the end of Section 2 add: "The following may be the form of such memorandum:

Circuit Court \_\_\_\_\_ Judiciary Circuit of Florida, in and for \_\_\_\_\_ County.

A. B., Plaintiff, vs. C. D., Defendant.

A. B., the plaintiff in this suit (or C. D., the defendant), alleges that in the record and proceedings, and also in the rendition of the judgment (or decree, or order), in this cause, manifest error hath happened to the great damage of the said A. B. (or C. D.), and the said A. B. (or C. D.) doth hereby give notice to the said C. D., the defendant (or A. B., the plaintiff), that he appeals his cause to the Supreme Court of the State of Florida, (or to the court to which the appeal may be taken), that the record and proceedings aforesaid being inspected by the Justices of said Supreme Court (or the Judges of such other court), they (or he) may cause to be done therein to correct that error what of right and according to law (or equity) ought to be done.

And the said A. B. (or C. D.) assigns the following grounds of error:

1. The court erred, etc.

2. The court erred, etc.

And so on, assigning all the grounds of error.

E. F.,

Plaintiff's (or Defendant's) Attorney.

2. In Section 4, line 3, after the word "record," insert the words "or of the Judge who rendered the judgment, order, or decree."

3. In Section 4, line 5, strike out the word, "thereof."

4. At the end of Section 4 add the following: "And where

an appeal is taken from an order, or decree, in an equity suit, granting, or dissolving, an injunction, the Appellate Court, or the judge, granting the supersedeas, may prescribe such conditions with reference to the subject matter of the injunctive order, or decree, and the conduct and relations of the parties, pending the appeal, by bond, or otherwise, as they, or he, may consider proper for the security of the opposite party.

5. In Section 6, line 2, strike out the words, "it shall be the duty of;" and in line 3 strike out the word "to," and insert "may."

6. Strike out all after Section 8 after the words, "error in the appellate court."

7. In Section 15, line 3, after the words, "the same is pending," insert, "except as herein otherwise provided."

8. In Section 18, line 4, after the word, "death," strike out "of," and insert "on."

9. Strike out Section 19, and insert in lieu thereof the following:

Sec. 19. In all cases taken to the Supreme Court under this act, it shall be the duty of the party prosecuting the proceeding in error to file with the clerk of the court whose judgment or decree is to be reviewed, at the time of the filing the memorandum provided for in Section 2 of this act, a written direction to such clerk, indicating the papers and proceedings that are to be copied and made a part of the transcript of the record to be used on appeal, always including the memorandum, and statement of the grounds of error, and it shall be the duty of the opposite party to file with such clerk, within ten days from the service upon him of the memorandum provided for in Section 2, a written direction to such clerk, indicating such other papers and proceedings in the cause to be copied and made a part of the transcript of the record, as such party may deem material to a proper decision of the appeal, upon the grounds of error stated in the memorandum as intended to be argued. And it shall be the duty of such clerk to make up the transcript of the record according to such written directions. But if the memorandum is not served upon the opposite party, or, having been served, such party does not file with the clerk any written directions within ten days allowed therefor, such clerk shall make up the transcript for the record according to such written directions of the party.



prosecuting the proceeding in error. Such transcript shall be typewritten, or printed, and shall be certified by the clerk to be a correct transcript of such papers and proceedings in the cause as he has been instructed by the written directions of the parties to include in the transcript of the record of the judgment in the cause. But no clerk, or judge, shall be required to prepare a transcript unless his fees therefor are paid, or satisfactorily secured.

10. Strike out Section 20, and insert in lieu thereof the following:

Section 20. It shall be the duty of the party prosecuting a proceeding in error under this act to file the transcript of the record, and two type-written, or printed copies thereof, each preserving the paging and order of the original, in the Appellate Court within sixty days from the filing of the memorandum, provided for in Section 2 of this act, unless the Appellate Court shall for good cause shown extend the time for filing such transcript and copies. And if it shall appear on the final hearing that copies of any papers or proceedings were caused to be included in said transcript that were not material to the determination of the appeal, the cost thereof may be taxed by the Appellate Court against the party causing them to be so included.

11. In Section 22 Strike out all after the words "Appellate Court," in line 4, down to the word "Provided" in line 6.

Strike out the words "in either case," in line 7.

Strike out the word "either" after the words "transcript on" in line 7, and insert in lieu thereof the words "the opposite."

12. In Section 23 strike out all after the word "solicitor" in line 10.

13. In Section 26, line 2, after the words, "see fit," add "except in the statement of grounds of error."

14. Strike out Section 27, and insert in lieu thereof the following:

Section 27. In making up bills of exceptions only such brief statement of the proofs, or evidence, shall be included therein as is necessary to clearly show the propriety or impropriety of the ruling, decision, charge, or action of the court excepted to, unless an exception has been taken to the law and the evidence, or is unsupported by, or contrary to the evidence, then all the evidence and the charge of the court shall be included in the bill of exceptions.

But no separate evidentiary bill of exceptions, as now re-

quired by the rules of the Supreme Court shall be necessary in any case.

And as thus amended that the same do pass.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And Senate Bill No. 4 (printed) contained in the above report, together with committee amendments, was placed on the Calendar of bills on second reading.

Mr. Bynum, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on City and County Organization to whom was referred—

Senate Bill No. 256:

A bill to be entitled an act to amend Section 4 of Chapter 4298 of the Laws of Florida, being an act to establish a municipal government for the town of Plant City, Florida.

Beg leave to report that they have considered the same and recommend its passage.

Very respectfully,

J. H. T. BYNUM,

Chairman of Committee.

And Senate Bill No. 256, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Crill moved that the rules be waived and the Senate take up bills on third reading.

Which was agreed to by a two-thirds vote.

#### BILLS ON THIRD READING.

Mr. Crill moved that the rules be waived and that he be allowed to call up Senate Bill No. 209 out of its regular order.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 209:

A bill to be entitled an act repealing an act entitled an act establishing a fine and forfeiture fund in the several counties, regulating the payment of criminal costs, authorizing a special

tax for said costs, and providing for the feed of prisoners and hire of convicts, approved April 20, 1895, and the amendments thereof, and providing for the payment of criminal costs and the hiring of county convicts.

Was taken up and read the third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |           |               |
|----------------|-----------|---------------|
| Yeas—          | Denham,   | McLin,        |
| Messrs. Baker, | Dimick,   | Myers,        |
| Barber,        | Gaillard, | O'Brien,      |
| Bynum,         | Harris,   | Roberts,      |
| Carson,        | Hendley,  | Sams,         |
| Chaires,       | Hooker,   | Wadsworth—20. |
| Crill,         | McCreary, |               |

Nays—

|                |         |            |
|----------------|---------|------------|
| Mr. President, | Broome, | McCaskill, |
| Messrs—        | Clark,  | Reeves—7.  |
| Blitch,        | Crosby, |            |

So the bill passed, title as stated.

Senate Bill No. 138:

A bill to be entitled an act to provide for the filing in the office of the Secretary of State a correct printed copy of the proceedings of the Senate and House of Representatives as approved each day during any session of the Legislature in lieu of the record of the proceedings as heretofore required by the Senate and House separately to be prepared by the Recording Clerks.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |            |                 |
|----------------|------------|-----------------|
| Yeas—          |            |                 |
| Messrs.—       | Clark,     | McCreary,       |
| Barber,        | Crosby,    | Reeves—9.       |
| Broome,        | Hendley,   |                 |
| Carson,        | McCaskill, |                 |
| Nays—          | Denham,    | O'Brien,        |
| Mr. President, | Dimick,    | Palmer of 11th, |
| Messrs.        | Fuller,    | Roberts,        |
| Baker,         | Gaillard,  | Rogers,         |
| Blitch,        | Harris,    | Sams,           |
| Bynum,         | Hooker,    | Williams—20.    |
| Chaires,       | McLin,     |                 |
| Crill.         | Myers,     |                 |

So the bill failed to pass.

Senate Bill No. 179:

A bill to be entitled an act to amend Section 2070 of the Revised Statutes of the State of Florida, relating to separate properties of married women.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|          |          |            |
|----------|----------|------------|
| Messrs.— | Clark,   | McCaskill, |
| Baker,   | Fuller,  | O'Brien,   |
| Broome,  | Hendley, | Rogers—8.  |

Nays—

|                |           |                 |
|----------------|-----------|-----------------|
| Mr. President, | Denham,   | Palmer of 11th, |
| Messrs.—       | Dimick,   | Reeves,         |
| Blitch,        | Gaillard, | Roberts,        |
| Bynum,         | Hooker,   | Sams,           |
| Carson,        | McCreary, | Williams—18.    |
| Crill,         | McLin,    |                 |
| Crosby,        | Myers,    |                 |

So the bill failed to pass.

A message was received from the House of Representatives.

House Bill No. 190:

To be entitled an act to amend Section 1, Chapter 4176, Laws of Florida, being an act to require persons running or operating log or timber carts on the public roads in this State to keep the portion of such roads used by them in repair.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|          |            |           |
|----------|------------|-----------|
| Messrs.— | Chaires,   | McCreary, |
| Baker,   | Clark,     | McLin,    |
| Blitch,  | Hooker,    | Roberts,  |
| Carson,  | McCaskill, | Sams—11.  |

Nays—

|                |           |            |
|----------------|-----------|------------|
| Mr. President, | Crill,    | Myers,     |
| Messrs.—       | Crosby,   | O'Brien,   |
| Barber,        | Denham,   | Reeves,    |
| Broome,        | Gaillard, | Rogers—13. |
| Bynum,         | Hendley,  |            |

So the bill failed to pass.

Mr. Broome moved that the vote by which House Bill No. 190 failed to pass be reconsidered.

Which went over under the rules.

House Bill No. 211:

To be entitled an act in relation to conveyances of real estate, etc., and to dispense with words of limitation in deeds.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas--

Mr. President,

Mr. McCreary--2.

Nays--

Messrs--

Baker,

Crill,

McLin,

Barber,

Crosby,

Myers,

Blitch,

Denham,

O'Brien,

Broome,

Fuller,

Reeves,

Bynum,

Gaillard,

Roberts,

Carson,

Hendley,

Sams,

Chaires,

Hooker,

Williams--23.

Clark,

McCaskill

So the bill failed to pass.

A message was received from the Governor.

Senate Bill No. 184:

A bill to be entitled an act empowering the County Commissioners of Hernando County to contract for road work in the several districts

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas--

Mr. President,

Clark,

McCaskill,

Crill,

McCreary,

Messrs.--

Crosby,

McLin,

Baker,

Denham,

O'Brien,

Barber,

Fuller,

Roberts,

Blitch,

Gaillard,

Sams,

Bynum,

Harris,

Williams--23.

Carson,

Hendley,

Chaires,

Hooker,

Nays--None.

So the bill passed, title as stated.

Senate Bill No. 204:

A bill to be entitled an act to enable the State of Florida to

more effectually realize moneys due it on judgments and decrees.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |            |            |
|----------------|------------|------------|
| Mr. President, | Crill,     | McCreary,  |
| Messrs. Baker, | Denham,    | McLin,     |
| Barber,        | Fuller,    | O'Brien,   |
| Blitch,        | Gaillard,  | Roberts,   |
| Bynum,         | Harris,    | Sams,      |
| Carson,        | Hendley,   | Wadsworth, |
| Chaires,       | Hooker,    | Wilson—23. |
| Clark,         | McCaskill, |            |

Nays—None.

So the bill passed, title as stated.

House Bill No. 197:

To be entitled an act to prevent unauthorized persons interfering with any railroad train, cars or engines.

Was taken up and read a third time in full.

Upon call of the roll,

The vote was:

Yeas—

|                |           |              |
|----------------|-----------|--------------|
| Mr. President, | Crill,    | McCaskill,   |
| Messrs. Baker, | Crosby,   | McLin,       |
| Barber,        | Denham,   | O'Brien,     |
| Broome,        | Fuller,   | Roberts,     |
| Bynum,         | Gaillard, | Sams,        |
| Carson,        | Harris,   | Wadsworth,   |
| Chaires,       | Hendley,  | Williams—23. |
| Clark,         | Hooker,   |              |

Nays—None.

So the bill passed, title as stated.

House Bill No. 174:

To be entitled an act to extend the time for commencing work on the Western Peninsular Railroad Company.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |         |            |
|----------------|---------|------------|
| Yeas—          | Clark,  | Hooker,    |
| Mr. President, | Crill,  | McCaskill, |
| Messrs.—       | Crosby, | McLin,     |
| Baker,         | Denham, | O'Brien,   |
| Barber,        | Dimick, | Roberts,   |

|          |           |              |
|----------|-----------|--------------|
| Broome,  | Fuller,   | Sams,        |
| Bynum,   | Gaillard, | Wadsworth,   |
| Carson,  | Harris,   | Williams—23. |
| Chaires, | Hendley,  |              |

Nays—None.

So the bill passed, title as stated.

House Bill No. 72:

To be entitled an act to amend Section 2, Chapter 4214, Laws of Florida, being an act to better protect the oyster beds of this State, approved May 30th, 1893.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |          |                |
|----------------|----------|----------------|
| Mr. President, | Crill,   | McCaskill,     |
| Messrs. Baker, | Crosby,  | McCreary,      |
| Barber,        | Denham,  | McLin,         |
| Bynum,         | Fuller,  | O'Brien,       |
| Carson,        | Harris,  | Roberts,       |
| Chaires,       | Hendley, | Wadsworth, 20. |
| Clark,         | Hooker,  |                |

Nays—

Messrs.—

|         |             |
|---------|-------------|
| Broome, | Sams,       |
|         | Williams—3. |

So the bill passed, title as stated.

House Bill No. 215:

To be entitled an act relating to the appointment, powers and duties of guardians of insane persons and lunatics.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |            |                |
|----------------|------------|----------------|
| Mr. President, | Crill,     | McCreary,      |
| Messrs.—       | Crosby,    | McLin,         |
| Blitch,        | Denham,    | Myers,         |
| Broome,        | Fuller,    | O'Brien,       |
| Bynum,         | Harris,    | Roberts,       |
| Carson,        | Hendley,   | Sams,          |
| Chaires,       | Hooker,    | Wadsworth, 22. |
| Clark,         | McCaskill, |                |

Nays—None.

So the bill passed, title as stated.

Mr Hooker moved that the rules be waived and that all

bills passed this morning be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And the bills were so certified.

### SPECIAL ORDERS.

Senate Joint Resolution No. 151:

A joint resolution proposing an amendment to Section 8, Article 5, of the Constitution of the State of Florida, relating to the election of Circuit Judges in this State.

Was taken up at 1:30 A. M., being set for that hour, having been previously read a second time in full.

Mr. Hendley moved that the rules be waived and that Senate Joint Resolution No. 151 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 151 was read a third time in full.

Upon call of the roll on the passage of Senate Joint Resolution No. 151,

The vote was:

Yeas—

Mr. President,

Messrs—

Baker,

Blitch,

Broome,

Bynum,

Nays—

Messrs—

Carson,

Chaires,

Crill,

Dimick,

Clark,

Crosby,

Denham,

Fuller,

Hendley,

McCaskill,

Gaillard,

Harris,

Hooker,

McLin,

Myers,

O'Brien,

McCreary,

Roberts,

Williams—15.

Palmer of 11th,

Reeves,

Rogers,

Sams—15.

So Senate Joint Resolution No. 151, having failed to receive the necessary vote of three-fifths of all the members elected to the Senate, failed to pass.

Mr. Palmer of the 11th moved that the vote by which Senate Joint Resolution No. 151 was lost be reconsidered.

Which motion was laid over under the rules.

The Senate resumed consideration of bills on third reading.



And,

Senate Bill No. 169:

A bill to be entitled an act to prohibit obstructing wagon roads and breaking fences by careless or malignant felling of timber.

Was taken up and read a third time in full.

Upon call of the roll on passage of the bill,

The vote was:

Yeas—

|         |           |            |
|---------|-----------|------------|
| Messrs— | Crill,    | McCaskill, |
| Baker,  | Crosby,   | McLin,     |
| Barber, | Dimick,   | Myers,     |
| Blitch, | Fuller,   | O'Brien,   |
| Bynum,  | Gaillard, | Roberts,   |
| Carson, | Harris,   | Rogers,    |
| Clark,  | Hooker,   | Sams--20.  |

Nays—

Mr. President, Mr. Reeves—2.

So the bill passed, title as stated.

House Bill No. 260:

To be entitled an act to amend Section 2183, Revised Statutes of the State of Florida, regulation of banking business.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill.

The vote was:

Yeas—

|                |           |           |
|----------------|-----------|-----------|
| Mr. President, | Denham,   | Myers,    |
| Messrs--       | Dimick,   | Rogers,   |
| Barber,        | Fuller,   | Sams--12. |
| Clark,         | Gaillard, |           |
| Crill,         | Hooker,   |           |

Nays—

|          |            |               |
|----------|------------|---------------|
| Messrs.— | Carson,    | McLin,        |
| Baker,   | Crosby,    | Roberts,      |
| Blitch,  | Harris,    | Williams--10. |
| Bynum,   | McCaskill, |               |

So the bill passed, title as stated.

House Substitute for—

House Bill No. 248:

To be entitled an act to incorporate the Florida Inland Navigation Company.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas--

|                |           |            |
|----------------|-----------|------------|
| Mr. President, | Crill,    | McCaskill, |
| Messrs. Baker, | Denham,   | McLin,     |
| Blicht,        | Dimick,   | Reeves,    |
| Bynum,         | Fuller,   | Roberts,   |
| Carson,        | Gaillard, | Rogers—17. |
| Clark,         | Harris,   |            |

Nays—Messrs—

|         |             |
|---------|-------------|
| Barber. | Sams,       |
| Crosby, | Williams—4. |

So the bill passed, title as stated.

Mr. Gaillard asked to be excused from further attendance until Friday afternoon.

Mr. Gaillard was excused.

Mr. Harris moved that the rules be waived, and that the Senate consider only bills originating in this body, unless it should be some matter that a senator was especially interested in having passed; and in that event, the House bill in order on the calendar be taken up.

Which was agreed to by a two-thirds vote.

Senate Bill No. 182:

A bill to be entitled an act to authorize the Board of Public Instruction of any county in the State of Florida to determine the tax levy to be made therein for school purposes, and to define the method of collection and disbursement thereof.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |            |                 |
|----------------|------------|-----------------|
| Mr. President, | Clark,     | McLin,          |
| Messrs.—       | Crill,     | O'Brien,        |
| Baker,         | Crosby,    | Palmer of 11th, |
| Blicht,        | Fuller,    | Reeves,         |
| Broome,        | McCaskill, | Roberts,        |
| Carson,        | McCreary,  | Rogers—17.      |

Nays—

|         |         |             |
|---------|---------|-------------|
| Messrs— | Denham, | Williams—4. |
| Bynum,  | Harris, |             |

So the bill passed, title as stated.

Mr. Palmer of the 11th moved that the rules be waived, and that Senate Bill No. 206, now on table subject to call, be taken up and considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 206:

A bill to be entitled an act to amend an act to establish a battalion of naval militia, to be known as the First Naval Battalion of the State of Florida.

Was taken up, having been read a second time in full.

Mr. Palmer of the 11th offered the following amendment to Senate Bill No. 206:

Strike out all in Sections two (2) and three (3), and insert in lieu thereof the following:

Sec. 2. "That the sum of two thousand dollars be, and the same is hereby appropriated to pay the expenses of said naval militia, the same to be expended under the supervision, control and direction of the adjutant-general of the State of Florida."

Mr. Palmer of the 11th moved the adoption of the amendment.

Which was agreed to.

Mr. Palmer of the 11th offered the following amendment to Senate Bill No. 206:

That Section 4 be changed to read Section 3.

Mr. Palmer of the 11th moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 206, as amended, was referred to the Committee on Engrossed Bills.

The Senate resumed consideration of bills on third reading.

Senate Bill No. 174:

A bill to be entitled an act requiring fire insurance companies lawfully doing business in the State of Florida to transact their business in said State through their agents, who are residents of the State, and regulating the insurance of property in this State by citizens thereof in companies not authorized to transact business in the State, and fixing penalties for violations of this act.

Was taken up and read a third time in full.

Mr. Baker asked unanimous consent to amend the title to Senate Bill No. 174 on third reading.

Which was agreed to.

Mr. Baker moved to amend the bill by striking the following words from the title, "and regulating the insurance of property in this State by citizens thereof in companies not authorized to transact business in the State," so that the title will read as follows:

A bill to be entitled an act requiring fire insurance companies lawfully doing business in the State of Florida to transact their business in said State through their agents, who are residents of the State, and fixing penalties for violations of this act.

Which was agreed to unanimously, and the title was so amended.

Upon call of the roll on the passage of the bill as amended,  
The vote was:

Yeas—

|               |            |          |
|---------------|------------|----------|
| Mr President, | Crosby,    | Myers,   |
| Messrs.—      | Denham,    | O'Brien, |
| Baker,        | Dimick,    | Reeves,  |
| Barber,       | Gaillard,  | Roberts, |
| Blitch,       | Harris,    | Rogers,  |
| Bynum,        | Hooker,    | Sams—21. |
| Carson,       | McCaskill, |          |
| Clark,        | McLin,     |          |

Nays—None.

So the bill passed, title as amended.

Mr. Baker moved that the rules be waived, and bills passed by the Senate be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and they were so certified.

Senate Bill No. 136:

A bill to be entitled an act for the relief of the estate of John F. Dunn upon the suretyship of said Dunn on the bond of C. B. Collins as State Treasurer.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |            |                 |
|----------------|------------|-----------------|
| Messrs. Baker. | Fuller,    | Palmer of 11th, |
| Blitch,        | Hooker,    | Roberts,        |
| Carson,        | McLin,     | Rogers,         |
| Clark.         | Myers,     | Sams,           |
| Denham,        | O'Brien,   | Wadsworth—15.   |
| Nays—          | Crosby,    | Reeves—5.       |
| Mr. President, | Dimick,    |                 |
| Messrs.—       | McCaskill, |                 |

So the bill passed, title as stated.

Senate Bill No. 163:

A bill to be entitled an act for the relief of Charles

Rheinauer, upon the suretyship of said Rheinauer on the bond of C. B. Collins as State Treasurer.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|         |           |                 |
|---------|-----------|-----------------|
| Messrs— | Fuller,   | Palmer of 11th, |
| Baker,  | Gaillard, | Roberts,        |
| Blitch, | Hooker,   | Rogers,         |
| Carson, | McLin,    | Sams,           |
| Clark,  | Myers,    | Wadsworth—16.   |
| Denham, | O'Brien,  |                 |

Nays—

|                |         |            |
|----------------|---------|------------|
| Mr. President, | Crosby, | McCaskill, |
| Messrs—        | Dimick, | Reeves—5.  |

So the bill passed, title as stated.

Senate Bill No. 205:

A bill to be entitled an act to amend Section 9, 10, 24, 51 and 55 of Chapter 4322, Laws of Florida, being an act entitled an act for the assessment and collection of revenue, and Sections 10 11 of Chapter 4515, Laws of Florida, being an act entitled an act to amend Sections 29, 32, 35, 47, 48, 50, 66 and 67 of Chapter 4322, Laws of Florida, being an act entitled an act for the assessment and collection of revenue.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |           |                  |
|----------------|-----------|------------------|
| Mr. President— | Clark,    | McLin,           |
| Messrs.—       | Crill,    | Palmier of 11th, |
| Baker,         | Denham,   | Roberts,         |
| Barber,        | Fuller,   | Rogers,          |
| Blitch,        | Hooker,   | Wadsworth—16.    |
| Carson,        | McCaskill |                  |

Nays—None.

So the bill passed, title as stated.

Mr. Blitch moved that the rules be waived, and the action of the Senate be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

Senate Bill No. 189:

A bill to be entitled an act to prohibit fishing in the fresh water lakes of this State with seines or nets, by any set devices, or by shooting or gigging.

Was taken up and read a third time in full.  
Upon call of the roll on the passage of the bill,

The vote was:

|                |           |                 |
|----------------|-----------|-----------------|
| Mr. President, | Crill,    | McLin,          |
| Messrs—        | Crosby,   | O'Brien,        |
| Baker,         | Denham,   | Palmer of 11th, |
| Blitch,        | Fuller,   | Roberts,        |
| Carson,        | Hooker,   | Williams—16.    |
| Chaires,       | McCaskill |                 |

Nays—

Messrs— Broome, Sams—2

So the bill passed, title as stated.

Senate Bill No. 222:

A bill to be entitled an act to require the Clerk of the Supreme Court to furnish the reports of the decisions of said Court for the use of the United States District Judges of Florida.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |           |                 |
|----------------|-----------|-----------------|
| Yeas—          | Chaires,  | McLin,          |
| Mr. President, | Clark,    | Myers,          |
| Messrs—        | Crill,    | O'Brien,        |
| Baker,         | Crosby,   | Palmer of 11th, |
| Barber,        | Denham,   | Roberts,        |
| Blitch,        | Fuller,   | Wadsworth,      |
| Broome,        | Hooker,   | Williams—21.    |
| Carson,        | McCaskill |                 |

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 236:

A bill to be entitled an act to require street car companies doing business in this State to provide separate compartments, or cars, for the conveyance of persons of color, and to provide a penalty for violation of this act.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |           |                 |
|----------------|-----------|-----------------|
| Mr. President, | Clark,    | Palmer of 11th, |
| Messrs—        | Crosby,   | Reeves,         |
| Baker,         | Dimick,   | Roberts,        |
| Barber,        | Hooker,   | Rogers,         |
| Blitch,        | McCaskill | Williams—18.    |

|         |          |              |
|---------|----------|--------------|
| Broome, | McLin,   |              |
| Carson, | O'Brien, |              |
| Nays—   | Fuller,  | Wadsworth—5. |
| Messrs— | Harris,  |              |
| Crill,  | Sams,    |              |

So the bill passed title as stated.

Senate Bill No. 233:

A bill to be entitled an act to authorize E. H. Miller, J. J. McCullagh, J. J. McCaskill and R. E. L. McCaskill, partners doing business as the E. H. Miller Boom Company, to construct and maintain certain booms in the Choctawhatchee River and arms thereof.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |           |                 |
|----------------|-----------|-----------------|
| Yeas—          | Clark,    | O'Brien,        |
| Mr. President, | Crill,    | Palmer of 11th, |
| Messrs—        | Crosby,   | Reeves,         |
| Baker,         | Dimick,   | Roberts,        |
| Barber,        | Fuller,   | Rogers,         |
| Blitch,        | Hooker,   | Sams,           |
| Broome,        | McCaskill | Wadsworth,      |
| Carson,        | McCreary, | Williams—24.    |
| Chaires,       | McLin,    |                 |

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 230:

A bill to be entitled an act to provide for the transfer of civil causes in the County Court of this State from one County Court to another County Court where the Judge of the County Court is disqualified from presiding, and the parties fail to agree upon a Judge ad litem or referee to try such cause.

Was taken up and read the third time in full.

Upon call of the roll,

The vote was:

|                |           |                 |
|----------------|-----------|-----------------|
| Yeas—          |           |                 |
| Mr. President, | Dimick,   | Roberts,        |
| Messrs—        | Fuller,   | Rogers,         |
| Baker,         | Hooker,   | Sams—14.        |
| Barber,        | McCreary, |                 |
| Carson,        | McLin,    |                 |
| Chaires,       | O'Brien,  |                 |
| Nays—          | Crill,    | Palmer of 11th, |
| Messrs—        | Crosby,   | Reeves—4.       |

|         |           |               |
|---------|-----------|---------------|
| Blitch, | Harris,   | Williams - 11 |
| Broome, | McCaskill |               |
| Clark,  | Myers,    |               |

So the bill passed, title as stated.

Senate Bill No. 227:

A bill to be entitled an act to provide for the preparation and distribution of a manual for Justices of the Peace.

Was taken up and read the third time in full.

The roll being called upon the passage of the bill,

The vote was:

|                |          |              |
|----------------|----------|--------------|
| Yeas—          | Chaires, | McCaskill    |
| Mr. President, | Clark,   | McCreary,    |
| Messrs—        | Crill,   | McLin,       |
| Baker,         | Crosby,  | O'Brien,     |
| Barber,        | Denham,  | Roberts,     |
| Blitch,        | Dimick,  | Rogers,      |
| Broome,        | Fuller,  | Williams—21. |
| Carson,        | Hooker,  |              |

|       |        |         |
|-------|--------|---------|
| Nays— | Myers, | Sams—5. |
|-------|--------|---------|

|         |                 |
|---------|-----------------|
| Messrs— | Palmer of 11th, |
|---------|-----------------|

|         |         |
|---------|---------|
| Harris, | Reeves, |
|---------|---------|

So the bill passed, title as stated.

Senate Bill No. 201:

To be entitled an act to amend Section 10 of Chapter 4331, Laws of Florida, approved June 3, 1895, entitled an act to amend Sections 5, 6, 7, 8, 9, 12, 16, 17 and 19 of Chapter 4192 of the Laws of Florida, the same being an act to entitle an act to prescribe rules and regulations for licensing teachers, to provide for uniform examinations, and to secure fairness in examinations and in issuing teachers' certificates, and for other purposes.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |           |             |
|----------------|-----------|-------------|
| Yeas—          | Fuller,   | Reeves,     |
| Messrs—        | Harris,   | Rogers,     |
| Broome,        | McCaskill | Wadsworth—9 |
| Denham,        | O'Brien,  |             |
| Nays—          | Chaires,  | Rogers,     |
| Mr. President, | Clark,    | McCreary,   |
| Messrs—        | Crill,    | McLin,      |
| Baker,         | Dimick,   |             |



|         |                 |              |
|---------|-----------------|--------------|
| Barber, | Hendley,        | Sams,        |
| Blitch, | Hooker,         | Williams—19. |
| Carson, | Myers,          |              |
| Crosby, | Palmer of 11th, |              |

So the bill failed to pass.

The following communication from the Governor was ordered spread upon the Journal:

State of Florida, Executive Department,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I have the honor to inform the Senate that I have approved and signed the following bills originating with that honorable body and have to-day filed the same in the office of the Secretary of State:

An act to increase the criminal jurisdiction of Justices of the Peace.

Also,

An act to repeal Chapter 4558 of the Laws of Florida, act of 1897, entitled an act to require the official phosphate samples of each port of this State from which phosphates are shipped, to inspect each and every car of phosphate arriving at each port for shipment, and to issue certificates for the same and to provide his compensation therefor.

Also,

An act to appropriate \$20,000, to be used for the payment for the buildings, fumigating plants, wharves and other property, including boats, of the Escambia County Board of Health, and to have title to the same confirmed in the State of Florida for the use of the State Board of Health.

Also,

An act to amend Section 8 of an act entitled an act to provide for establishing, working, repairing and maintaining the public roads and bridges of the several counties of the State, and to provide penalties for failure thereof; approved May 20, 1895.

Also,

An act to extend the time for completing the canal of the Florida Coast Line Canal and Transportation Company, and to preserve and continue the grant of land to aid in its construction.

Also,

An act to authorize the City of Ocala to relinquish to the

County of Marion its claim on certain road taxes, due and to become due from said county to said city for the purpose of certain public improvements by said county in the neighborhood of said city and beyond its corporate limits, and to authorize the said city and county authorities to enter into contracts with each other for that purpose.

Also,

An act for the relief of the Wrought Iron Range Company.

Also,

An act relating to persons convicted in municipal courts, and their employment on the streets and public works of municipalities.

Also,

An act to provide for the opening, grading, paving, curbing and otherwise improving streets, parks, sidewalks and other public places in the City of Tampa; the construction of sewers therein; the repair and maintenance thereof; and for assessment against the abutting property for such improvements, including such as may have been completed or may now be in process of construction, and the enforcement and collection thereof.

Very respectfully,

W. D. BLOXHAM,

Governor.

By permission—

Mr. Rogers, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Corporations to whom was referred—

House Bill No. 159:

A bill to be entitled an act to incorporate the Most Worshipful Union Grand Lodge of the Most Ancient and Honorable Fraternity of Free and Accepted Masons, colored, of the State of Florida.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

C. B. ROGERS,

Chairman of Committee.

And House Bill No. 189, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Palmer of 11th moved that the Senate adjourn until 3:30 o'clock P. M.

Which was agreed to.

Thereupon the Senate adourned until 3:30 o'clock P. M.

## AFTERNOON SESSION.

3:30 o'clock.

Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names:

|                |            |           |
|----------------|------------|-----------|
| Mr. President, | Carson,    | McCreary, |
| Messrs.--      | Clark,     | McLin,    |
| Baker,         | Crosby,    | O'Brien,  |
| Barber,        | Denham,    | Roberts,  |
| Blitch,        | Dimick,    | Rogers,   |
| Broome,        | Hooker,    | Sams,     |
| Bynum,         | McCaskill, |           |

Answering roll-call—18.

A quorum present.

Mr. O'Brien moved that the rules be waived and that messages from the House of Representatives be taken up.

Which was agreed to by a two-thirds vote.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 384:

A bill to be entitled an act to provide for the assessment, levy and collection of revenue for the City of Pensacola.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And House Bill No. 384, contained in the above message, was read the first time by its title.

Mr. O'Brier moved that the rules be waived and that House Bill No. 384 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 384 was read a second time by its title.

Mr. O'Brien moved that the rules be further waived and that House Bill No. 384 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 384 was read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |            |           |
|----------------|------------|-----------|
| Mr. President, | Clark,     | McCreary, |
| Baker,         | Crill,     | McLin,    |
| Barber,        | Crosby,    | Myers,    |
| Blitch,        | Dimick,    | O'Brien   |
| Broome,        | Harris,    | Roberts,  |
| Bynum,         | Hooker,    | Rogers,   |
| Carson,        | McCaskill, | Sams—21.  |

Nays—None.

So the bill passed, title as stated.

Mr. O'Brien moved that the rules be waived and that all bills passed by the Senate be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And the bills were so certified.

Mr. Dimick moved that the Senate take up and consider bills on second reading.

Which was agreed to.

## BILLS ON SECOND READING.

House Bill No. 101:

To be entitled an act relating to the power of Circuit Court Judges in cases where the regular panel of jurors has been quashed for irregularity in the drawing of them or for other causes.

Was taken up and read a third time in full, together with the following amendment proposed by the Judiciary Committee:

Add to Section 1 the following:

And provided, further, That whenever the Circuit Judge shall be satisfied that the public interest will be best subserved thereby, he may authorize the Sheriff to summons either number of persons aforesaid for the purposes aforesaid, from the body of the county, and the names of such of them as shall appear shall be placed in the box as provided by Section 3 of this act, and for the purposes therein provided.

Mr. Myers moved the adoption of the Committee amendment.

Which was agreed to.

And House Bill No. 101, as amended, was placed on calendar of bills on third reading.

Senate Bill No. 214:

To be entitled an act to amend Section 4, Chapter 4323, of an act entitled an act establishing a fine and forfeiture fund in the several counties, regulating the payment of criminal costs, authorizing a special tax for said costs, and providing for the feed of prisoners and hire of convicts, approved April 20th, 1895.

Was taken up.

Mr. O'Brien asked permission to withdraw Senate Bill No. 214.

Which was granted.

Mr. O'Brien moved that he be allowed to call up Senate Bill No. 186 out of its regular order.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 186:

A bill to be entitled an act to authorize the issuance of county school bonds for certain purposes and providing for the guaranteeing of interest thereon by the State Board of Education, and the redemption and payment of such bonds.

Was taken up and read a second time in full.

And Senate Bill No. 186 was ordered to Committee on Engrossed Bills.

Senate Bill No. 224:

A bill to be entitled an act supplemental to an act entitled an act to establish the municipality of Jacksonville, provide for its government and prescribe its jurisdiction and powers.

approved May 31, 1887, and to extend the powers of the government of said municipality.

Was taken up.

Mr. Rogers moved that the rules be waived and that Senate Bill No. 224 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 224 was read a second time by its title.

Mr. Rogers moved that the rules be further waived and that Senate Bill No. 224 be read a third time and put upon its passage.

And Senate Bill No. 224 was read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Yeas—

|                |           |           |
|----------------|-----------|-----------|
| Mr. President, | Clark,    | McCreary, |
| Messrs—        | Crill,    | McLin,    |
| Baker,         | Crosby,   | O'Brien,  |
| Barber,        | Denham,   | Roberts,  |
| Bitch,         | Dinick,   | Rogers,   |
| Broome,        | Harris,   | Sams—21.  |
| Bynum,         | Hooker,   |           |
| Carson,        | McCaskill |           |

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 232:

A bill to be entitled an act to prevent the sale or giving away of diseased nursery stock or seeds of any kind, and to provide punishment for the same.

Which was read the second time.

Mr. McCreary moved that Senate Bill No. 232 be placed on the Calendar of Bills on third reading without being engrossed.

Which was agreed to.

House Bill No. 22:

To be entitled an act to extend the corporate existence and enlarge the powers of the Main Street Railroad Company.

Was taken up and read a third time in full.

And House Bill No. 22 was placed on the Calendar of Bills on third reading.

Senate Bill No. 215:

To be entitled an act to provide for the inspection of sawn and hewn pitch pine timber.

Was taken up.

Mr. O'Brien asked permission to withdraw Senate Bill No. 215.

Which was granted.

Senate Bill No. 98:

A bill to be entitled an act to authorize suits to recover damages for death of minors caused by the negligence of corporations or private associations of persons.

Was taken up and read a second time in full together with the following amendment prepared by the Committee on Judiciary:

In Section 1, line 8, after the words "may assess," insert the following: "not to exceed five thousand dollars."

Mr. McCreary moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 98, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 152 :

A bill to be entitled an act to provide for the incorporation of cities and towns in this State.

Was taken up and read a second time in full.

And Senate Bill No. 152 was ordered referred to Committee on Engrossed Bills.

House Bil No. 155:

To be entitled an act to punish cruelty to children.

Was taken up and read a second time in full.

And House Bill No. 155 was placed on the Calendar of Bills on third reading.

A message was received from the House of Representatives:

House Bill No. 316:

To be entitled an act to make it unlawful for hogs or swine to run at large on Fruitland Peninsula, in Putnam County, Fla., and to provide for impounding and sale of same.

Was taken up and read a second time in full.

And House Bill No. 316 was placed on the Calendar of bills on third reading.

House Bill No. 245:

To be entitled an act to amend Section 1, Chapter 4558, approved June 4, 1897, relating to the preservation and protection of food fishes in the fresh water rivers, creeks, bayous and streams in the State of Florida.

Was taken up and read a second time in full, together with the substitute offered by the Committee on Fisheries.

Mr. Fuller moved that the committee substitute for House Bill No. 245 be adopted, with the following title:

Substitute for House Bill No. 245:

A bill to be entitled an act to amend Section 1 of chapter 4558, Laws of Florida, entitled an act for the protection and preservation of food fishes in the fresh water rivers, creeks, bayous or streams in the State of Florida, and to prevent the hauling or dragging of seines or nets therein, approved June 4th, 1897.

Which was agreed to.

And the substitute was read a second time in full.

House Bill No. 245, with the substitute therefor, was placed on the Calendar of bills on third reading.

Senate Bill No. 166:

A bill to be entitled an act in relation to the survey and sale of certain lands in the State of Florida, and to dispose of the proceeds arising from the sale of such lands.

Was taken up and read a second time in full.

Mr. Palmer of the 11th offered the following amendment to Senate Bill No. 166:

Strike out the words "become a part of the fund for general revenue," in lines eight and nine, and insert in lieu thereof the following: "shall be divided between the general revenue fund and the State school fund as now provided by law. Provided, That nothing in this act shall be construed as applying to any such lands lying within the corporate limits of any city or town in this State, or as affecting any riparian right now existing under the laws of this State.

Mr. Palmer of the 11th moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 166, as amended, was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 134:

A bill to be entitled an act to amend Section 2758, Laws of Florida, relating to the catching of shad during certain months.

Was taken up and read a second time by its title.

The Committee substitute for Senate Bill No. 134 was then read in full, with the following title:

A bill to be entitled an act to amend Section 2758 of the Revised Statutes of Florida, relating to catching of shad during certain months.

Mr. Fuller moved the adoption of the Committee substitute for Senate Bill No. 134.



Which was agreed to.

and Committee substitute for Senate Bill No. 134 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 248:

A bill to be entitled an act providing for a life certificate in primary departments of regular graded schools and public kindergartens.

Was taken up and read the second time in full.

Mr. Blitch moved that Senate Bill No. 248 be placed on the Calendar of Bills on third reading without being engrossed.

Which was agreed to.

House Bill No. 272:

To be entitled an act to repeal an act entitled an act for the protection and preservation of certain plumed birds of this State, approved June 5, 1891, Chapter 4050, Laws of Florida.

Was taken up and read a second time in full.

Mr. Sams moved to indefinitely postpone House Bill No. 272.

Which was agreed to.

House Bill No. 29:

To be entitled an act to repeal Chapter 4564, Laws of Florida, entitled an act to protect and encourage the artificial growth of sponges within the waters of the State of Florida, and conceding certain riparian rights of those engaged therein, and to prescribe a license in certain cases.

Was taken up and read a second time in full, together with the following amendments prepared by the Committee on Fisheries.

That the following words be prefixed to the title of the bill: "A bill to be entitled" and also after the word "repealed," in Section 1, insert the following: "Provided, That nothing herein shall be construed as impairing any vested right which may have been secured under the provisions of said act."

Mr. Fuller moved the adoption of the committee amendment.

Which was agreed to.

And House Bill No. 29, as amended, was placed on Calendar of bills on third reading.

House Bill No. 152:

A bill to be entitled an act to amend Section 4, of Chapter 4557, Acts of 1897, Laws of Florida, entitled an act to regulate the catching or taking of fish in the waters of the State.

of Florida.

Was taken up and read a second time in full.

Mr. Fuller moved that House Bill No. 152 be indefinitely postponed.

Which was not agreed to.

And House Bill No. 152 was placed on the Calendar of bills on third reading.

Senate Bill No. 242:

A bill to be entitled an act in relation to Boom Companies organized under the general corporation laws of this State.

Was taken up and read a second time in full.

And Senate Bill No. 242 was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 243:

A bill to be entitled an act in relation to injuries to booms and taking logs, lumber, timber and other floatables therefrom.

Was taken up and read a second time in full.

Mr. Williams offered the following amendment to Senate Bill No. 243:

Strike out all after the word "than" on 16th line down to the word "nor" on 18th line and insert in lieu thereof the following: "one thousand dollars."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 243:

Insert between the words "than" and "or" on line 18 the words "two years imprisonment."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 243, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 246:

A bill to be entitled an act relating to the collection of and accounting for poll taxes in this State.

Was taken up and read a second time in full.

Mr. Carson moved that Senate Bill No. 246 be placed on the Calendar of Bills on third reading without being engrossed.

Which was agreed to.

Senate Bill No. 71:

A bill to be entitled an act to amend an act entitled an act to amend Section 255 of the Revised Statutes of the State of

Florida, and to define and to declare what number of hours shall compose a school day, approved June 6, 1893.

Was taken up.

Mr. Blitch moved that Senate Bill No. 71 be laid on the table subject to call.

Which was agreed to.

House Bill No. 268:

To be entitled an act to relieve W. Marion Williams and others from estreatment.

Was taken up and read a second time in full.

Mr. Fuller moved that the rules be waived and that House Bill No. 268 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 268 was read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |         |               |
|----------------|---------|---------------|
| Yeas—          | Clark,  | McCaskill     |
| Mr. President, | Crill,  | McCreary,     |
| Baker,         | Crosby, | McLin,        |
| Barber,        | Denham, | Keeves,       |
| Blitch,        | Dimick, | Roberts,      |
| Broome,        | Fuller, | Samr,         |
| Carson,        | Hocker, | Wadsworth—20. |
| Nays—None.     |         |               |

So the bill passed, title as stated.

Senate Bill No. 255:

A bill to be entitled an act to provide for an exhibit at the Paris Exposition in 1900, and making an appropriation therefor.

Was taken up and read a second time in full.

Mr. Myers moved that Senate Bill No. 255 be placed on the Calendar of Bills on third reading without being engrossed.

Which was agreed to.

Senate Bill No. 247:

A bill to be entitled an act to amend Section 4 of Chapter 4405, Laws of Florida, Acts of 1895, approved May 16, 1895, the same being an act entitled an act to amend Sections 2434, 2435, 2437 and 2438, Revised Statutes, relating to breaking and entering a dwelling house, building, ship, vessel or railroad car with intent to commit a misdemeanor felony, and to prescribe a rule of evidence in such case.

Was taken up and read a second time in full.

Mr. Reeves moved that the rules be waived and that Senate Bill No. 247 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 247 was read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |         |              |
|----------------|---------|--------------|
| Yeas—          | Carson, | McCaskill    |
| Mr. President, | Clark,  | McCreary,    |
| Messrs—        | Crill,  | McLin,       |
| Barber,        | Crosby, | Myers,       |
| Barber,        | Dimick, | Reeves,      |
| Blitch,        | Fuller, | Roberts,     |
| Broome,        | Harris, | Sams,        |
| Bynum,         | Hooker, | Williams—22. |

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 240:

A bill to be entitled an act to authorize certain persons, who were in the military or naval service of the United States in the late war with Spain, to qualify as electors of the City of Jacksonville at the next municipal election.

Was taken up and read a second time in full.

Mr. Rogers moved that the rules be waived and that Senate Bill No. 240 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 240 was read a third time in full.

Upon call of the roll,

The vote was:

|                |           |                 |
|----------------|-----------|-----------------|
| Yeas—          | Crill,    | McLin,          |
| Mr. President, | Crosby,   | Myers,          |
| Messrs.—       | Dimick,   | Palmer of 11th, |
| Baker,         | Fuller,   | Reeves,         |
| Barber,        | Harris,   | Roberts,        |
| Blitch,        | Hooker,   | Rogers,         |
| Bynum,         | McCaskill | Sams,           |
| Clark,         | McCreary, | Williams—22.    |

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 249:

A bill to be entitled an act to legalize the marriages and offspring of persons of African descent.

Was taken up and read a second time in full.

Mr. Reeves moved that Senate Bill No. 249 be placed on the Calendar of Bills on third reading without being engrossed.

Which was agreed to.

A message was received from the House of Representatives.

Mr. Crill moved that the rules be waived and that messages from the House of Representatives be taken up.

Which was agreed to by a two-thirds vote.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 23, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully request the return of Senate Bill No. 149, relative to railroad freight, passenger and freight schedules and for other purposes.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Crill moved that the request of the House of Representatives be complied with.

Which was agreed to.

And Senate Bill No. 149, with amendments, was returned to the House of Representatives.

Senate Bill No. 250:

A bill to be entitled an act relating to bills in equity for the quieting of and removing of clouds from titles to real estate.

Was taken up and read a third time in full.

Mr. Reeves moved that Senate Bill No. 250 be placed on Calendar of bills on third reading without being engrossed.

Which was agreed to.

Senate Bill No. 181:

A bill to be entitled an act authorizing a regular constable to appoint a special constable in certain instances.

Was taken up and read a second time in full.

And Senate Bill No. 181 was ordered referred to the Committee on Engrossed Bills.

Mr. Myers called up—

Senate Bill No. 207:

A bill to be entitled an act to amend an act entitled an act

o provide for the appointment of a Board of Examiners, and o regulate the practice of dentistry in the State of Florida, the same being chapter 3711 of the Laws of Florida, approved June 7th, 1897.

Mr. Harris moved that Senate Bill No. 207 be read a second time by its title.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 207 was read a second time by its title.

Mr. Myers offered a substitute for Senate Bill No. 207 with the following title.

Substitute for Senate Bill No. 207:

A bill to be entitled an act to amend Sections 831 and 832,

Revised Statutes of Florida, relating to dentists.

Was taken up and read a second time in full.

Mr. Myers moved the adoption of the substitute for Senate Bill No. 207.

Which was agreed to.

Mr. Myers moved that Substitute for Senate Bill No. 207 be placed on the Calendar of bills on third reading without being engrossed.

Which was agreed to.

Senate Bill No. 208:

A bill to be entitled an act for the relief of Lieutenant A. R. Merrill, Lieutenant J. H. Bland, Ensign Cromwell Gibbons, Ensign F. D. Miller, Lieutenant D. W. Shea, Lieutenant C. H. Reid, Quartermaster Robert Handy, and Quartermaster H. B. Walker, members of the Florida Naval Militia, for services rendered during the Spanish war.

Was taken up and read a second time in full.

Mr. Rogers moved that the rules be waived and that Senate Bill No. 208 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 208 was read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

|                |          |                 |
|----------------|----------|-----------------|
| Yeas—          | Chaires, | Palmer of 11th, |
| Mr. President, | Crosby,  | Roberts,        |
| Messrs—        | Fuller,  | Rogers,         |
| Baker,         | Harris,  | Sams,           |
| Barber,        | Hooker,  | Williams—17.    |
| Bynum,         | McLin,   |                 |
| Carson,        | Myers,   |                 |

Nays—None.

So the bill passed, title as stated.

## BILLS ON THIRD READING.

House Bill No. 47:

To be entitled an act to authorize County Commissioners of the County of Lee to adopt rules and regulations for the use and preservation of wild game, birds of song and plumage, wild animals, the skins of which are of commercial value and food fish.

Was taken up and read a third time in full,

As amended by the Senate.

Upon call of the roll on the passage of the bill, as amended,  
The vote was:

|                |          |                   |
|----------------|----------|-------------------|
| Yeas—          | Broome,  | McCaskill         |
| Mr. President, | Chaires, | Roberts,          |
| Messrs.—       | Denham,  | Sams,             |
| Baker,         | Dimick,  | Wadsworth,        |
| Barber,        | Harris,  | Williams—15.      |
| Blitch,        | Hendley, |                   |
| Nays—          | Carson,  | Hooker,           |
| Messrs.—       | Crosby,  | Palmer of 11th—6. |
| Bynum,         | Fuller,  |                   |

So the bill passed, title as stated.

By permission—

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 23, 1899.

Hon Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—  
House Bill No. 321:

To be entitled an act to provide for the payment of defendant's witnesses in criminal cases.

Beg leave to report that they have given the same due consideration; but as they are divided in opinion as to the propriety of its passage, they return the same without recommendation.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And House Bill No. 321, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Sams moved that the Senate adjourn until 9 o'clock A. M. to-morrow.

Which was agreed to.

Thereupon the Senate adjourned until Wednesday at 9 o'clock A. M.

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